

HOUSE BILL 3006
By Armstrong

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 5,
relative to training school personnel to assist with student
diabetes care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 4, is amended by
adding the following as a new, appropriately designated section:

§ 49-5-417.

(a) Notwithstanding the provisions of any law, policy, or guideline to the contrary,
a local board of education or a governing board for a non-public school may permit an
employee or person under contract to the board to assist with the care of students with
diabetes, under the following conditions:

(1) The student's parent or guardian and the student's personal health
care team must have developed a medical management plan that lists the health
services needed by the student at school and is signed by the student's
physician or other health care representative;

(2) The student's parent or guardian must have given permission for the
school to participate in the student's diabetes care, and that written permission
must be kept in the student's school records;

(3) The administration of diabetes care to the student must be
documented in accordance with this section; and

(4) The departments of education and health must develop guidelines for
assisting with a student's diabetes care that must be followed. The board of
nursing must be allowed to review and comment on the guidelines before they
take effect and any training begins.

(b) The guidelines for assistance with a student's diabetes care must include the following:

(1) guidelines for recognition and treatment of hypoglycemia and hyperglycemia;

(2) guidelines for the appropriate actions to take when blood glucose levels are outside of the target ranges indicated by a student's medical management plan;

(3) guidelines for understanding physician instructions about diabetes medication drug dosage, frequency, and the manner of administration;

(4) guidelines for performing finger-stick blood glucose and ketone checking, and for recording the results;

(5) guidelines for administration of glucagon and insulin, and for recording the results; and

(6) recommended schedules for meals and snacks, guidelines on the effect of physical activity on blood glucose levels, and actions to be implemented in the case of schedule disruption.

(c) If a school is assigned a school nurse, that nurse must be trained in diabetes care and must have knowledge of the guidelines. Any other school personnel who assist with student diabetes care, whether as a part of their official employment duties or on a volunteer basis under no duress, must receive training on the guidelines from a licensed health care professional with experience in diabetes care. All training must be renewed on an annual basis and competency must be noted in the personnel file. Any local board of education or governing board for a non-public school may, in its discretion, require teachers or bus drivers who have regular contact with students with diabetes to receive such training.

(d) If a school nurse is on-site and available to assist, the school nurse must provide the diabetes assistance rather than other trained school personnel assisting the student. In addition, a school nurse, if any, has primary responsibility for maintaining all

student medical records. In the event no school nurse is assigned to a school, an employee trained in diabetes assistance may be assigned this task.

(e) Any person who is trained and whose competency is indicated in his or her personnel file as required in subsection (c), as well as any local board of education or governing board for a non-public school that authorized the person to assist with student diabetes care, shall not be liable in any court of law for injury resulting from reasonable assistance with a student's diabetes care, if performed pursuant to the guidelines developed by the departments of health and education.

(f) The activities set forth in this section shall not constitute the practice of professional nursing unless performed by an individual licensed by the board of nursing.

(g) Upon written request of the parent or guardian, and if included in the student's medical management plan, a student with diabetes may perform blood glucose checks, administer insulin, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of his or her diabetes in any area of the school or school grounds and at any school-related activity, and to possess on his or her person at all times all necessary diabetes monitoring and treatment supplies.

SECTION 2. This act shall take effect July 1, 2004, the public welfare requiring it